

STATEMENT OF PAUL EMENS
IN SUPPORT OF SENATE BILL 1855
JULY 25, 2000

Good afternoon, Senators. My name is Paul Emens and I am Chairman of the group known as Pilots Against Age Discrimination (PAAD). Seated with me are Captain Nancy Bruce, Captain Ron Richtsmeier, and Dr. Robin Wilkening. PAAD represents all pilots who believe that the Age 60 Rule is age discrimination, that the Age 60 Rule should be changed, and that changing it will not only reduce the nation's critical shortage of pilots but will dramatically increase the level of experience brought to commercial aviation.

I am 51 years old. My father's career was with Pan American World Airways.

I mention my father because he walked these same halls, as a member and officer of ALPA, trying to overturn the discriminatory and arbitrary Age 60 Rule...just as I am now doing. Today, ALPA is my opponent.

The purpose of this hearing is to examine the issue of pilot shortage. And there IS a pilot shortage. Not only are there fewer numbers of pilots to fill the needs air carriers - and provide for the needs of Alaska and other underserved states - there is a *critical shortfall in experienced pilots nationwide*. This hazardous situation is an immediate problem for *your constituents, your families, and every passenger in every state*.

ALPA agrees. In May 1998 ALPA published an article that said, in part:

"...Large numbers of Captains will be retiring from most US carriers, and indeed European ones as well, at the turn of the century and soon after. This will cause the majors to hire a further mass of new pilots in a relatively short period of time. The effects on the air transportation system could be disastrous as a sudden surge of poor-caliber pilots is dragged from the bottom of the system, perhaps all the way to the majors. The real losers will be the air-taxi and regional operators that must fly their aircraft with the pilots the majors cannot attract."

In fact, Senators, the real losers are the passengers of your state whose lives are placed at risk by pilot inexperience. Currently it is not uncommon for pilots to be hired straight out of aviation colleges and into the First Officer's seat of a regional airliner. Within a year these novices can be promoted to Captain. Inexperienced pilots make three times as many critical errors as more experienced pilots. A pilot with but one year of line-flying experience coupled with a co-pilot straight out of flight school is a recipe for disaster in commercial aviation. . Some regional carriers have turnover rates as high as 80% annually as pilots move on to fill slots opened by expansion and vacated by an increasing volume of age-driven retirements. In the mid-1990's the FAA elected to apply the Age 60 Rule to regional carrier pilots, who for decades had been transporting the citizens of your states without a single age-related safety problem. Pilots who were 60 at the time the One Level of Safety program went into effect were given a grace period. The last of this group of pilots was grounded at age 65 this year, again without a single age-related incident. During that period of time this group of highly-skilled and experienced pilots demonstrated beyond question the safety record that has been validated in study after study: *older, experienced pilots are as safe as or safer than younger pilots.*

The FAA's own study, known as the Hilton Study, **“accidents decreased with age, leveling off for older pilots”...“Our analyses provided no support for the hypotheses that the pilots of scheduled air carriers had increased accident rates as they neared the age of 60. Most of the analyses indicated a slight downward trend [in accident rates] with age.”**

The most experienced pilots - those over 60 - have been removed from the ranks in order to make room for pilots with minimal flight time and little other than school experience. Is this the pilot you want for your family's next flight?

ALPA would like you to believe that the Age 60 Rule is about safety. It isn't. It's about economics. Pilots want to advance up the seniority and pay ladder . In the late 1970's a younger and more junior group of pilots gained control of ALPA. A former ALPA

President, Hank Duffy observed," **Pilots over age 55 comprise only 5-6% of the total membership. The other 95% selfishly view the forced retirement of older pilots as their guaranteed path and a God-given right to their own early promotion."** How ironic! It was ALPA who fought for and won the right of 60-year-old pilots to keep their jobs in 1959, the year the Age 60 Rule came into being. It is now ALPA who champions the discriminatory retirement of the nation's most experienced pilots.

Another economic issue concerns a special tax provision that protects a pilot mandated to retire at the age of 60 from taking an onerous pension cut.

Federal Air Surgeon Dr. Frank Austin knew the truth: **"There is no basis for the Age 60 Rule. I believe this and Admiral Engen [the FAA Administrator] believes this.... It's an economic issue."**

ALPA sits here today as a powerful advocate of the Age 60 Rule.

Congress can change all this.

Recognize that there is indeed a pilot shortage. It affects every Senator and every Representative because it affects every citizen who flies. What Senator Murkowski's bill does is give working commercial pilots more years of productive careers. In a time of stress due to shortages of pilot numbers and experience, his bill gives us time to address the issue properly: time to initiate and fund pilot training programs, and time to study a group of dedicated, experienced, and highly-skilled pilots over the age of 60 who are permitted to continue in the work they are supremely qualified to do. There is no question that the evaluation of this group of older pilots will show what other industrialized nations already know and have put into daily practice: there is no rational or defensible basis for the mandatory retirement of pilots at age 60.

I would like to close with Senator John McCain's statement of July 17, 1996 given before the Senate Commerce, Science and Transportation Committee:

"This administration has been critical, and rightfully so, about the inexperience of flight crews in commercial air carrier cockpits. One obvious way to increase the experience levels of cockpit crews would be to increase the discriminatory maximum age for pilots, which is limited by the "age 60 rule". However, when the Administration recently issued a Notice of Proposed Rulemaking for flight and duty time, the strong lobbying effort of the pilot unions kept the age 60 rule intact - a position that reportedly is at odds with the FAA Administrator's own position on whether to change the rule. I hope the FAA and DOT will work with Congress to significantly change this way of operating."

Senator McCain hit the nail on the head a full four years ago. We have lost the luxury of getting ahead of this problem. Alaska feels its impact today and every state in this country will feel it in the near future. The shortage is here, now, as the most experienced pilots are forced prematurely from their cockpits against their will. It's time the FAA listens - and acts. Maintaining the status quo because it is awkward for some parties is clearly unacceptable.

To provide for a more experienced workforce and to end age discrimination in the commercial airline industry it is time to address the Age 60 Rule. Now.